



# Washington State Department of Agriculture News Release

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WASHINGTON STATE DEPARTMENT OF AGRICULTURE  
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## **Western Washington violations Agriculture Department issues fines and suspensions for pesticide violations**

OLYMPIA – During the second half of 2002, the state Department of Agriculture (WSDA) took disciplinary action against six individuals in Western Washington. Fines totaling \$3,650 were issued against three individuals. Of those, two had their licenses suspended for a total of 52 days. Two other individuals were not fined but had their licenses suspended for a total of 10 days. One person's license was permanently revoked. Fines ranged from \$750 to \$2,000. Violations included issuing a faulty structural inspection report, failing to follow directions on a pesticide label, keeping inadequate records and allowing pesticide to drift onto a person or property.

A penalty matrix is used to ensure penalties are uniform and fair. The matrix takes into account the seriousness of the violation, whether it is a first or a repeat offense, and whether there are any aggravating or mitigating factors involved. Larger penalties often reflect repeat offenses or multiple violations within the same incident.

WSDA enforces state and federal laws to protect people, property and the environment against the improper use of pesticides. Staff also provides technical assistance to the pesticide industry and consumers, and enforces the rules on structural inspections for wood destroying organisms, such as termites and carpenter ants. About 200 allegations of improper distribution or misuse of pesticides, or faulty structural inspections are investigated every year.

To file a complaint involving the misuse of pesticide, or to find out if an applicator is licensed, call (877) 301-4555.

**John A. DeSoto**, commercial pest control consultant, Home Check Inspection, Tacoma. Desoto was fined \$750 and his license was suspended for 16 days. In February 2002, DeSoto conducted an inadequate inspection for wood destroying organisms on a house in Tacoma. He issued a faulty inspection report, failed to obtain an inspection control number from WSDA, and was not licensed at the time of the inspection.

**Leonard Ebe**, potato grower, private applicator, Ferndale. WSDA alleges that Ebe failed to supervise an unlicensed employee in August 2001 when the employee applied pesticide. The application drifted onto residential property and a person. The matter was resolved with Ebe agreeing to a \$2,000 fine and a 36-day license suspension.

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**Daniel L. Reed**, commercial applicator, president, A & A Pest Control, Inc., Portland. WSDA alleges that in, September 2001, Reed falsely reported that deck supports on a house in Hoodspoint were infested with powder post beetles and that the house and deck should be fumigated. WSDA claims that there was no such infestation and that a \$2,500 fumigation was unnecessary. The matter was settled with Reed agreeing to a six-day license suspension.

**John R. Smith**, commercial applicator, president, Paratex American Pest Management, Aberdeen. WSDA alleges that, in February 2001, when Smith inspected a house in Aberdeen he failed to report evidence of wood boring beetles, rot damage and conditions conducive to an infestation. The matter was settled with Smith agreeing to a four-day license suspension.

**Derek A. Tall**, former commercial applicator, owner, Absolute Pest Control, Gig Harbor. WSDA alleges that, in 2000 and 2001, Tall inspected for wood destroying organisms (WDO) and applied pesticides without a license. WSDA also alleges that Tall failed to issue a WDO report prior to treatment and did not maintain proper records. The matter was settled with Tall agreeing to a permanent revocation of his license. He also agreed never to be a part of or have an interest in any firm that performs pesticide applications or WDO inspections in Washington.

**TruGreen Chemlawn**, landscape spray firm, Western Washington. WSDA alleges that in June 2001, a commercial operator from the Puyallup branch of TruGreen Chemlawn caused extensive damage to ornamental plants on several residential landscapes in the Kent-Auburn area when he applied an insecticide mix that was contaminated with an herbicide. The matter was settled with TruGreen Chemlawn agreeing to pay a \$900 fine.

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